

2) The cementitious material layers 130 is located on the interior of the fabric material. This is not true.

The examiner further states under:

3) Eaton shows the cement layers (layer) joined to form a sandwich but not with a polyurethane material layer, one of ordinary skill in the art would have known the various methods and means to join the layers together and would have selected any means which would permit the wall structure to operate as intended. This sentence is not understood. Does the examiner suggest that the mesh 140 consisting of steel rods to be joined to the cementitious material of Eaton by way of polyurethane?

This is physically impossible to do.

The examiner uses the secondary reference to Dumlao as a teaching to add a second or an additional fabric layer to be located on both sides of the wall (floor). If the two fabric layers of Dumlao are used in the floor structure of Eaton, the floor system of Eaton will break down and cannot be used as a flooring system. If a combination of references is found to be inoperative and cannot work as suggested by the examiner, a holding of being obvious cannot be maintained. A second layer of the mesh 140 cannot be incorporated in the flooring system of Eaton.

In view of all of the above, the examiner is respectfully requested to reconsider the rejection of claims 10 and 12 and allow the application to go forward to become a patent.

The indication of allowable subject matter in claim 11 is appreciated.


Werner H. Schroeder

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